



COMMONWEALTH OF MASSACHUSETTS DEPARTMENT OF TELECOMMUNICATIONS AND CABLE

D.T.C. 13-AR

April 1, 2015

Investigation by the Department of Telecommunications and Cable on its own motion, pursuant to G.L. c. 159, §§ 12, 32, and 39, and G.L. c. 166, §§ 11 and 12, regarding the failure by individually-named common carriers of telecommunications services to file annual returns for calendar years 2010 and/or 2011.

FINAL ORDER

In the Matter of:

<u>Docket #</u>	<u>Carrier</u>	<u>For Calendar Year(s)</u>
DTC 13-AR-2	Go Solo Technologies, Inc.	2011
DTC 13-AR-3	Legacy Long Distance International, Inc.	2011
DTC 13-AR-4	MMG Holdings, Inc.	2011
DTC 13-AR-6	EasyLink Services, Corp. fka Mail.com Business Messaging Services, Inc. aka EasyLink Services USA, Inc.	2010, 2011
DTC 13-AR-9	International Network Solutions, LLC	2010, 2011
DTC 13-AR-10	New England Payphone, Inc.	2010, 2011
DTC 13-AR-11	NSC Service Corporation aka NSC Communications Public Services Corporation dba NSC Communications	2010, 2011
DTC 13-AR-12	Pelzer Communications Corp.	2010, 2011
DTC 13-AR-15	Telmex USA, LLC	2010, 2011
DTC 13-AR-16	Touch 1 Communications, Inc. dba Alabama Touch 1 Communications, Inc.	2010, 2011
DTC 13-AR-17	Tricom USA, Inc.	2010, 2011

I. INTRODUCTION

In this Order, the Department of Telecommunications and Cable (“Department”) dismisses the proceedings against two of the eleven above-captioned telecommunications carriers; determines that the remaining nine carriers have outstanding delinquent returns due to the Department; assesses forfeitures against seven of those nine carriers; and refers its delinquent annual returns findings against the nine carriers to the Attorney General for enforcement. Due to their delinquencies, the Department also cancels the nine carriers’ registrations and intrastate tariffs on file with the Department and directs removal of public access line service from the payphones of two of those nine carriers.¹

II. BACKGROUND AND PROCEDURAL HISTORY

Each carrier that is the subject of this Order is a registered carrier with the Department and is therefore required to file an annual return with the Department. *See Delinquent annual returns for calendar years 2010 and/or 2011*, D.T.C. 13-AR, Order (Dec. 3, 2013) (“*Order Opening Investigation*”) at 1. According to the Department’s records, each of the above-captioned telecommunications common carriers failed to file annual returns for calendar years 2010 and/or 2011. As further discussed below, the Department dismisses the investigations against MMG Holdings, Inc. (“MMG”) and Telmex USA, LLC (“Telmex”); determines that the remaining nine carriers, EasyLink Services, Corp. fka Mail.com Business Messaging Services, Inc. aka EasyLink Services USA, Inc. (“EasyLink”), Go Solo Technologies, Inc. (“Go Solo”), International Network Solutions, LLC (“INS”), Legacy Long Distance International, Inc. (“Legacy”), New England Payphone, Inc. (“New England Payphone”), NSC Service Corporation aka NSC Communications Public Services Corporation dba NSC Communications (“NSC

¹ Attachment A to this Order provides a chart that summarizes the Department’s findings against each carrier.

Communications”), Pelzer Communications Corp. (“Pelzer”), Touch 1 Communications, Inc. dba Alabama Touch 1 Communications, Inc. (“Touch 1”), and Tricom USA, Inc. (“Tricom”) (collectively, the “Nine Carriers”) have outstanding delinquent returns due to the Department; assesses forfeitures against seven of the Nine Carriers, specifically, Go Solo, INS, Legacy, New England Payphone, NSC Communications, Pelzer, and Tricom; and refers its findings against the Nine Carriers involving their delinquent annual returns to the Attorney General for enforcement.²

Due to their delinquencies, the Department also cancels the registrations and any intrastate tariffs of the Nine Carriers on file with the Department and directs removal of public access line service from the payphones of New England Payphone and NSC Communications. The Nine Carriers will no longer have legal authority to provide telecommunications services in the Commonwealth.

On December 3, 2013, the Department opened investigations into seventeen carriers for their failure to file annual returns for calendar years 2010 and/or 2011. *Order Opening Investigation* at 1, 6. The Department also issued a *Notice of Investigation and Hearing* on December 3 and issued revised notices on December 23 and December 27, 2013, respectively.³ *Annual Returns*, D.T.C. 13-AR, *Notice of Investigation and Hr’g* (Dec. 3, 2013 (“Notice”); rev. Dec. 23 and Dec. 27, 2013). The Department published a copy of the December 27 revised Notice in the *Boston Globe* on December 30, 2013. In its *Order Opening Investigation* and Notice, the Department directed each carrier to state in writing:

² Although this Order pertains to several investigations into the failure to file annual returns with similar facts, the dockets are not consolidated. Thus, the findings of fact and directives issued in this Order are applicable to each carrier, individually.

³ The Department made non-material changes to the Notice prior to publication. The revised Notice on December 23, 2013, reflected four (4) investigation dismissals. See Memo. Of Dismissal, D.T.C. 13-AR-1, D.T.C. 13-AR-7, D.T.C. 13-AR-8, and D.T.C. 13-AR-13 (Dec. 23, 2013). The revised Notice issued on December 27, 2013, reflected formatting changes for purposes of publication.

1. Whether the company filed the annual return for the relevant calendar year(s). If so, to provide a copy of the annual return(s) and documentation of the filing(s). If not, to explain why, and to state whether the failure to file was reasonable;
2. Whether the company provided telecommunications services in the Commonwealth during the relevant calendar year(s);
3. If applicable, whether the Secretary of the Commonwealth reinstated the company's authority to do business; and
4. If applicable, to provide the current company address, contact information, and an amended tariff and Statement of Business Operations ("SBO") reflecting that change.

Order Opening Investigation at 5; Notice at 2. The Department dismissed the investigations of six carriers that responded to the Notice and corrected their delinquencies.⁴

The year(s) of delinquency for the remaining eleven carriers (collectively, the "Eleven Carriers") subject to this investigation are as follows:

<u>Docket #</u>	<u>Carrier</u>	<u>For Calendar Year(s)</u>
DTC 13-AR-2	Go Solo Technologies, Inc.	2011
DTC 13-AR-3	Legacy Long Distance International, Inc.	2011
DTC 13-AR-4	MMG Holdings, Inc.	2011
DTC 13-AR-6	EasyLink Services, Corp. fka Mail.com Business Messaging Services, Inc. aka EasyLink Services USA, Inc.	2010, 2011
DTC 13-AR-9	International Network Solutions, LLC	2010, 2011
DTC 13-AR-10	New England Payphone, Inc.	2010, 2011
DTC 13-AR-11	NSC Service Corporation aka NSC Communications Public Services Corporation dba NSC Communications	2010, 2011
DTC 13-AR-12	Pelzer Communications Corp.	2010, 2011
DTC 13-AR-15	Telmex USA, LLC	2010, 2011
DTC 13-AR-16	Touch 1 Communications, Inc. dba Alabama Touch 1 Communications, Inc.	2010, 2011
DTC 13-AR-17	Tricom USA, Inc.	2010, 2011

⁴ See *supra* at n.3; Memo. of Dismissal and Suspension, D.T.C. 13-AR-5 and D.T.C. 13-AR-14 (Jan. 21, 2014); Memo. of Dismissal, D.T.C. 13-AR-5 (Feb. 14, 2014).

The Department conducted a single public hearing for the aforementioned dockets and individual evidentiary hearings on January 22, 2014. None of the named carriers or any member of the public made an appearance.

During each evidentiary hearing, the Department marked several exhibits for identification and inclusion in the record, including copies of: (1) any SBO and tariff cover pages filed with the Department by the named carrier; (2) registration and other information on file or posted with the Massachusetts Secretary of the Commonwealth (“SOC”) for that carrier; (3) the carrier’s Federal Communications Commission (“FCC”) Form 499 filer information; (4) all notices issued by the Department reminding the carrier of its obligation to file annual returns for the relevant calendar year(s); (5) all extensions issued by the Department for delinquent annual returns; (6) signed certified receipt cards or copies of any returned mail involving the delinquent returns, including the reminder and delinquency notices and Notice mailings; (7) annual returns filed with the Department by the carrier for years immediately prior and subsequent to the delinquent annual returns; and (8) additional relevant information on file with or collected by the Department.⁵

III. ANALYSIS AND FINDINGS

A carrier must register with the Department in order to provide telecommunications services in Massachusetts. *See Regulatory treatment of telecomms. common carriers within Mass.*, D.P.U. 93-98, Order (May 11, 1994) (“*Common Carrier Regulatory Treatment Order*”) at 12. Registered carriers are subject “to the Department’s general supervisory authority, including specific requirements in G.L. c. 159, and the Department’s regulatory policies as articulated in

⁵ The additional information includes e-mail correspondence between Department staff and carriers or their agents; Department database printouts in lieu of SBOs; and miscellaneous documents involving the carrier available through the FCC’s online electronic docket filing system. Appendix B to this Order lists the exhibits for each docket.

Department Orders.”⁶ *Id.* Every registered carrier avers that it has the managerial, technical, operational, and financial ability to comply with statutory requirements. *Delinquent annual returns for calendar years 2001 and/or 2002*, D.T.E. 03-76, Order A (Aug. 20, 2004) at 5.

Carriers registered with the Department or providing telecommunications services in the Commonwealth are required to file annual returns with the Department for each calendar year pursuant to G.L. c. 159, § 32, and G.L. c. 166, § 11. The Department is required to assess financial penalties for a carrier’s failure to comply with the requirements of G.L. c. 166, § 11. *See* G.L. c. 166, § 12. Under G.L. c. 159, § 32, **all** carriers have a duty to file an annual return for each calendar year by March 31 of the following year, or at a later date fixed for good cause, in a format prescribed by the Department. *See Delinquent annual returns for calendar years 2005, 2006, 2007, 2008, and/or 2009*, D.T.C. 11-AR, Order A (June 3, 2013) (“*D.T.C. 11-AR-A*”) at 6. That is, a carrier registered with the Department must file an annual return regardless of whether it is doing business in the Commonwealth. *Id.* at 1, 6. In the event a carrier fails to comply with G.L. c. 159, § 32, the Department shall refer the matter to the Attorney General for enforcement. *See* G.L. c. 159, § 39 (“If in the judgment of the [D]epartment any common carrier . . . neglects to make returns as required by law . . . the [D]epartment shall forthwith present the facts to the attorney general for action.”).

Under G.L. c. 166, § 11, carriers “doing business in the [C]ommonwealth” have a duty to file an annual return for each calendar year by March 31 of the following year, or at a later date fixed for good cause, in a format prescribed by the Department. Any carrier neglecting to file

⁶ Through the *Common Carrier Regulatory Treatment Order*, the Department promoted market entry and streamlined the registration process for most telecommunications common carriers by eliminating the requirement for carriers to obtain a certificate of public convenience and necessity (“CPCN”) from the Department before offering service within the Commonwealth. *See Common Carrier Regulatory Treatment Order* at 12. The Department previously approved CPCNs through a formal, docketed process. Since the issuance of the *Common Carrier Regulatory Treatment Order*, most carrier registrations are deemed automatically approved within thirty (30) days of the filing unless Department staff determine a filing to be deficient.

the annual return required by G.L. c. 166, § 11, shall forfeit to the Commonwealth \$5.00 per day for the first fifteen days of delinquency, \$10.00 per day for the next fifteen days, and a sum not exceeding \$15.00 per day for each day thereafter until the annual return is filed. *See* G.L. c. 166, § 12. If the Department determines that a carrier “unreasonably refuses or neglects to make such return,” the carrier shall also forfeit up to \$500.00 for each offense.⁷ *Id.* In addition to these fines, the Department shall refer a failure to comply with G.L. c. 166, § 11, to the Attorney General for enforcement. *See* G.L. c. 159, § 39.

As to each of the Eleven Carriers, the Department must determine whether the carrier was: (1) required to file an annual return with the Department for the relevant calendar year and failed to do so; and, if so, (2) “doing business” in the Commonwealth during that calendar year pursuant to G.L. c. 166, § 11, and, therefore, subject to the associated financial penalties of G.L. c. 166, § 12, for its failure to comply. Although Chapter 166 is silent as to what constitutes “doing business,” the Department relies on other resources to guide its analysis. *See D.T.C. 11-AR-A* at 7-8. Specifically, because the Massachusetts Department of Revenue’s (“DOR’s”) definition is well-settled,⁸ the Department relies on that definition for its own analysis. *Id.*; 830 C.M.R. § 63.39.1(4)(b). For purposes of G.L. c. 166, §§ 11 and 12, the Department defines “doing business” to include: the buying, selling or procuring of services or property; the execution of contracts; the exercise or enforcement of contractual rights; the maintenance of a place of business; the employment of labor; and each and every other act, power, right, privilege,

⁷ In contrast to the penalties for not filing, the filing fee for an annual return is \$5.00. *See* General Information & Filing Instructions Annual Return and Revenue Statement IPP Revenue Statement, *available at* <http://www.mass.gov/ocabr/government/oca-agencies/dtc-lp/competition-division/telecommunications-division/doing-business/applications-forms-doi/annual-return-and-revenue-statement.html>.

⁸ *See, e.g., Alcoa Bldg. Prods., Inc. v. Comm’r Of Revenue*, 797 N.E.2d 357, 364 (Mass. 2003) (foreign corporation whose sales managers processed warranty claims in Massachusetts was doing business in Massachusetts); *Aloha Freightways, Inc. v. Comm’r of Revenue*, 701 N.E.2d 961, 966 (Mass. 1998) (foreign corporation whose trucks made dozens of trips to Massachusetts, served customers in Massachusetts, and drove thousands of miles on Massachusetts roads, was doing business in Massachusetts).

or immunity exercised or enjoyed in the Commonwealth as an incident to or by virtue of the powers and privileges acquired through corporate form.⁹ *D.T.C. 11-AR-A* at 7. This list is not exhaustive. *Id.* Indeed, as discussed below, a carrier's registration status and filing history with the SOC¹⁰ and its own admissions to and determinations by the FCC¹¹ may also inform the Department as to whether the carrier is doing business in the Commonwealth. *Id.* at 7-8. Any one indicium in the above list, however, is generally sufficient for the Department to find that a carrier is doing business in the Commonwealth.¹² *Id.* at 8. If a registered carrier does not have any reportable intrastate revenues or does not provide telecommunications service in Massachusetts, then the Department does not deem the carrier to be "doing business" and thus is not subject to statutory forfeitures under G.L. c. 166, § 12. *See Delinquent annual returns for calendar years 2005, 2006, 2007, 2008, and/or 2009*, D.T.C. 11-AR, Order B (June 3, 2013)

⁹ See also 830 C.M.R. § 63.39.1; *Truck Renting & Ass'n v. Comm'r of Revenue*, 746 N.E.2d 143, 737 (Mass. 2001) (foreign corporation leasing vehicles to persons operating such vehicles in Massachusetts was subject to taxation); M.T.G. LR 99-5 (Feb. 3, 1999) (foreign corporation's act of holding of leases and plans to sublet in Massachusetts constituted doing business under 830 C.M.R. § 63.39.1(4)(b) because it was considered to be procuring property, involved entering into contracts, and possibly involved enforcing those contracts in Massachusetts courts).

¹⁰ Foreign limited liability companies doing business in the Commonwealth must register with the SOC, file annual reports, and pay an annual filing fee. G.L. c. 156C, § 48. The SOC may revoke the authority of a foreign limited liability company to transact business in the Commonwealth if such a company fails to file annual reports for two consecutive years. *Id.*, § 72. Similarly, foreign corporations transacting business in the Commonwealth must file a registration certificate with the SOC. G.L. c. 156D, § 15.01. A foreign corporation that has filed with the SOC may only withdraw from the Commonwealth after submitting an application to the SOC stating that it is no longer transacting business in the Commonwealth. *Id.*, § 15.20. The SOC may also revoke the authority of a foreign corporation to transact business in the Commonwealth if it has failed to file annual reports, or failed to file or pay taxes for two consecutive years. *Id.*, § 15.30.

¹¹ For instance, the FCC requires all telecommunications providers to file an FCC Form 499-A with the Universal Service Administrative Company ("USAC") annually by April 1, with limited exception. See FCC, 2013 Telecommunications Reporting Worksheet Instructions (FCC Form 499-A) at 2. Carriers report revenues on an FCC Form 499-A, which USAC then uses to determine federal contribution amounts for telecommunications relay service, universal service, numbering administration, and local number portability support mechanisms. *Id.* The FCC reports registration information submitted by carriers on its FCC Form 499 Filer Database at <http://fjallfoss.fcc.gov/cgb/form499/499a.cfm>.

¹² See, e.g., *Geoffrey, Inc. v. Comm'r of Revenue*, 899 N.E.2d 87, 88-89 (Mass. 2009) (foreign corporation which licensed trademarks in Massachusetts in return for royalties was doing business in Massachusetts). But see M.T.G. LR 05-8 (Nov. 21, 2005) (foreign corporation was not considered to be doing business in Massachusetts because the acts of an independent contractor engaging in the items listed in 830 C.M.R. § 63.39.1(4)(b) are not imputed to the foreign corporation).

(“*D.T.C. 11-AR-B*”) at 6; *Delinquent annual returns for calendar year 2000*, D.T.E. 02-13, Order G (Sept. 20, 2002) (“*D.T.E. 02-13-G*”) at 3-4 (finding that because carriers did not earn any intrastate revenue for the reporting period, they were not doing business in the Commonwealth in that period, and thus the statutory forfeitures pursuant to G.L. c. 166, § 12 did not apply).

As to what constitutes the aforementioned “good cause” to extend a carrier’s filing deadline under G.L. c. 159, § 32, and G.L. c. 166, § 11, the Department relies on its longstanding “good cause” standard. *D.T.C. 11-AR-B* at 7. Specifically:

Good cause is a relative term and it depends on the circumstances of an individual case. Good cause is determined in the context of any underlying statutory or regulatory requirement, and is based on a balancing of the public interest, the interest of the party seeking an exception, and the interests of any other affected party.

Pet’n of N.E. Tel. & Tel. Co. for an alternative regulatory plan for the co.’s Mass. intrastate telecomms. servs., D.P.U. 94-50, Order at 51-52 (May 12, 1995) (“*D.P.U. 94-50*”) (citing *Boston Edison Co.*, D.P.U. 90-335-A at 4 (1992)) (finding no good cause for Attorney General’s request to reopen an investigation where reopening would cause significant delays in hearing schedule and where the only evidence in support of reopening was uncorroborated news reports).¹³ The Department has found good cause to extend an annual returns filing deadline where, although delinquent, a carrier reports a negligible amount of revenue or the statutory forfeitures, if applied, would far exceed the revenue reported on the carrier’s delinquent annual return. *See*

¹³ *See also Tel-Save, Inc. v. N.E. Tel. & Tel. Co.*, D.T.E. 98-59, Order (Oct. 19, 1999) at 5 (finding good cause for extension of deadline for complying with requirement for the creation of a new web application where petitioner would be unduly prejudiced if it did not have adequate time to create a workable application); *In re Ruth C. Nunnally, under the provisions of M.G.L. c. 159, as amended, for a certificate of pub. convenience and necessity to provide pay-tel. servs. within Mass.*, D.P.U. 92-34-A, Order of Motion to Extend Judicial Review Period (Feb. 8, 1993) (finding good cause to extend the deadline for appealing dismissal of an application to provide payphone service because petitioner was a *pro se* applicant unable to file her notice of appeal due to employment and health-related problems); *Order on Att’y Gen.’s motion for reconsideration and motion to stay appeal period*, D.P.U. 89-199-A, Order at 7 (Dec. 27, 1989) (finding no good cause for Attorney General’s request for twenty day extension after motion to reconsider Department’s previous approval of utility’s bond issuance where utility established that delays could cause increased costs for ratepayers).

D.T.C. 11-AR-B at 8, 9-10; *Delinquent annual returns for calendar years 2001 and/or 2002*, D.T.E. 03-76, Order F (Aug. 20, 2004), at 7; *D.T.E. Delinquent annual returns for calendar year 2000*, D.T.E. 02-13, Order B (Sept. 20, 2002) (“*D.T.E. 02-13-B*”) at 3. The Department has also extended the filing deadline where the Department determines a carrier is no longer “doing business” in the Commonwealth. *See Delinquent annual returns for calendar years 2005, 2006, 2007, 2008, and/or 2009*, D.T.C. 11-AR, Order C (June 3, 2013) (“*D.T.C. 11-AR-C*”) at 11-12. Absent good cause to extend the filing deadline for a carrier “doing business” for the relevant calendar year(s), the carrier is subject to statutory forfeitures if it does not timely file its annual return. *See* G.L. c. 166, §§ 11 and 12.

Failure to file an annual return may also result in the cancellation of a carrier’s SBO and intrastate tariff(s), thus preventing the carrier from providing telecommunications services within the Commonwealth.¹⁴ *See Order Opening Investigation* at 5-6; *D.T.C. 11-AR-A* at 12; *D.T.C. 11-AR-C* at 10; *Common Carrier Regulatory Treatment Order* at 12 (specifying that registered carriers are subject “to the Department’s general supervisory authority, including specific requirements in G.L. c. 159, and the Department’s regulatory policies as articulated in Department Orders”). In addition, the Department may cancel the registration and “direct removal of public access line service from the payphones of any company” that fails to file its annual return and update its registration information. *D.T.E. 02-13-B* at 4 & n.3 (discussing payphone provider registrations, which state that “if the [r]egistrant is found not to be in

¹⁴ Several years ago, the Department amended the requisite affidavits of the SBO registration forms to include bolded language that specifies the “[r]egistrant understands that failure to comply will be grounds for the Department to cancel the [r]egistrant’s registration/SBO and tariff(s), thus preventing the [r]egistrant from operating and/or providing telecommunications services within Massachusetts.” *Application for Registration for Telecommunications Service Providers Other Than Payphone Service Providers – Statement of Business Operations* at 8; *Registering to Provide Pay Telephone Services in Massachusetts* at 8.

compliance with the Department's requirements, the Department may withdraw registration and remove public access line service from the [r]egistrant's pay telephones").

A. MMG (D.T.C. 13-AR-4)

MMG is a registered carrier with an approved SBO and intrastate tariff on file with the Department. *See* D.T.C. 13-AR-4, Exhs. 1 and 1-B. Accordingly, the company was required to file an annual return with the Department for calendar year 2011, which was due on March 31, 2012. *See* G.L. c. 159, § 32; G.L. c. 166, § 11. MMG responded to the Department and submitted its delinquent return on May 30, 2014. *See* MMG Compliance Filing (May 30, 2014) ("MMG Compliance Filing"). MMG maintains that the delinquency was an oversight due to staff reductions and reports \$39,000.00 in reportable revenues for 2011. *Id.* MMG indicates that it ceased providing telecommunications services effective April 2012 "due to extremely difficult economic conditions and renewed competitive pressure . . . that led our business to suffer significant customer attrition and bad debt." *Id.*

The Department finds good cause to fix a later filing deadline for MMG's 2011 annual return under G.L. c. 159, § 32, and G.L. c. 166, § 11. *See D.T.C. 11-AR-B* at 7; *D.P.U. 94-50*. In determining whether good cause exists for an extension of MMG's filing deadline, the Department must weigh the carrier's interest in receiving such an extension against the public's interest and the interests of any other affected parties. *See D.T.C. 11-AR-B* at 7; *D.P.U. 94-50*. While the reason for MMG's delinquency is insufficient justification for failing to meet its reporting obligations and not previously responding to the Department, and its interests in receiving an extension are substantial (forfeitures would amount to nearly 30% of the company's reportable revenues), there is no benefit to the public if the Department refused to grant an extension to MMG. The Department finds that MMG acted in good faith by ultimately

cooperating with the Department and notifying the Department of the company's cessation of services. Accordingly, the Department, for good cause, establishes May 30, 2014, as the filing deadline for MMG's 2011 annual return. *See* G.L. c. 159, § 32; G.L. c. 166, § 11; *D.T.C. 11-AR-B* at 10-13; *D.P.U. 94-50*. As MMG's 2011 annual return is now current, the Department dismisses D.T.C. 13-AR-4.

B. Telmex (D.T.C. 13-AR-15)

Telmex is a registered carrier with an approved SBO and intrastate tariff on file with the Department. *See* D.T.C. 13-AR-15, Exhs. 1 and 1-B. Therefore, the company was required to file annual returns with the Department for calendar years 2010 and 2011, which were due to the Department on March 31, 2011, and March 31, 2012, respectively. *See* G.L. c. 159, § 32; G.L. c. 166, § 11. Telmex ultimately submitted its delinquent returns for these years on March 12, 2014. *See* Telmex Compliance Filing (Mar. 12, 2014) ("Telmex Compliance Filing"). Telmex claims \$0 in reportable revenues for 2010 and \$3.33 in reportable revenues for 2011. *Id.*

The Department determines that Telmex was not "doing business" in these years for purposes of statutory forfeitures and finds good cause to fix a later filing deadline for the company's 2010 and 2011 annual returns. *See* *D.T.C. 11-AR-B* at 6-7, 10-11; *D.T.E. 02-13-G* at 3; *D.P.U. 94-50*. Applying the Department's definition of "doing business" applicable to G.L. c. 166, §§ 11 and 12, the Department finds that Telmex was not "doing business" in 2010 or 2011, because Telmex reports zero revenues for 2010 and a *de minimis* amount of revenues for 2011. *See* Telmex Compliance Filing; *D.T.C. 11-AR-B* at 6; *D.T.E. 02-13-G* at 3. As a result, the Department does not assess statutory forfeitures against the company.

The Department also finds good cause to fix a later filing deadline for Telmex's 2010 and 2011 annual return under G.L. c. 159, § 32, and G.L. c. 166, § 11. *See* *D.T.C. 11-AR-B* at 10-11;

D.P.U. 94-50. In determining whether good cause exists for an extension of Telmex's filing deadlines, the Department must weigh the carrier's interest in receiving such an extension against the public's interest and the interests of any other affected parties. *See D.T.C. 11-AR-B at 7; D.P.U. 94-50*. Since Telmex was not "doing business in the Commonwealth" in 2010 and 2011 for purposes of G.L. c. 166, §§ 11 and 12, and filed its requisite returns, there would be no benefit to the public if the Department refused to grant an extension to Telmex. The Department finds that Telmex acted in good faith by ultimately cooperating with the Department.¹⁵ Accordingly, the Department, for good cause, establishes March 12, 2014, as the filing deadline for Telmex's 2010 and 2011 annual returns. *See G.L. c. 159, § 32; G.L. c. 166, § 11; D.T.C. 11-AR-B at 10-13; D.P.U. 94-50*. As Telmex's returns are now current, the Department dismisses D.T.C. 13-AR-15.

C. Easylink (D.T.C. 13-AR-6) and Touch 1 (D.T.C. 13-AR-16)

Both EasyLink and Touch 1 are registered carriers and each company has an approved SBO and intrastate tariff on file with the Department. *See D.T.C. 13-AR-6, Exhs. 1 and 1-B; D.T.C. 13-AR-16, Exhs. 1 and 1-B*. Thus, both were required to file annual returns with the Department for calendar years 2010 and 2011 but failed to do so for either year. *See G.L. c. 159, § 32; G.L. c. 166, § 11*.

The evidentiary record indicates that both companies ceased providing telecommunications services or ceased operating in the Commonwealth prior to 2010. Specifically, EasyLink reported to the FCC that the company still exists but ceased providing

¹⁵ The Department observes that Telmex retains its registration with the SOC; has made filings with the SOC subsequent to 2011; and has a history of non-compliance and late filings. *See D.T.C. 13-AR-15, Exhs. 5, 6, 6-A, 6-B, and 6-C*. Indeed, the SOC revoked Telmex's registration in 2009, subsequently reinstated on July 26, 2013, after the company submitted eight (8) delinquent SOC annual returns and an Application for Reinstatement with the SOC. *See D.T.C. 13-AR-15, Exhs. 6, 6-A, and 6-B*. Telmex also reports to the FCC that it provides telecommunications service in Massachusetts, and the FCC's Form 499 Filer Database reflects the company's registration as "current." *See D.T.C. 13-AR-15, Exh. 7*.

telecommunications services in 2002. *See* D.T.C. 13-AR-6, Exhs. 7, 8. However, EasyLink retained its registrations with both the SOC and the Department, reporting \$0.00 revenues to the Department as recently as 2010 for its calendar year 2009 return. *See* D.T.C. 13-AR-6, Exhs. 5, 6, 6-A, 6-B. Touch 1 sold its assets to another entity registered with the Department and ended operations in 2007. *See* D.T.C. 13-AR-16, Exhs. 4, 4-A, 6, 6-A, 7, and 8. Touch 1 failed to withdraw its registration with the Department. *See* D.T.C. 13-AR-16, Exhs. 4, 4-A, 7, 8. Accordingly, because both carriers ceased “doing business in the Commonwealth” prior to 2010 for purposes of G.L. c. 166, §§ 11 and 12, the Department does not assess statutory forfeitures against them. Because each carrier’s returns still remain outstanding, however, the Department will refer each matter to the Attorney General for enforcement. *See* G.L. c. 159, § 39.

The Department also finds EasyLink’s and Touch 1’s failure to file an annual return as reason to cancel their SBOs and intrastate tariff(s) on file with the Department. *See Order Opening Investigation* at 5-6; *D.T.C. 11-AR-A* at 12; *D.T.C. 11-AR-C* at 10; *Common Carrier Regulatory Treatment Order* at 12. Both EasyLink and Touch 1 ceased providing telecommunications services or ceased operations prior to 2010 and failed: to withdraw their registrations; to file annual returns for the relevant years; to appear at their designated hearings; and to otherwise communicate with the Department. *Supra* at 13-14. The Department thus cancels each carrier’s registration and intrastate tariffs on file with the Department as of the effective date of this Order. *Id.*

D. Go Solo (D.T.C. 13-AR-2), Legacy (D.T.C. 13-AR-3), and NSC Communications (D.T.C. 13-AR-11)

Go Solo and Legacy are registered carriers and each company has an approved SBO and intrastate tariff on file with the Department. *See* D.T.C. 13-AR-2, Exhs. 1 and 1-B; D.T.C. 13-AR-3, Exhs. 1 and 1-B. NSC Communications is a payphone provider registered with the

Department. *See* D.T.C. 13-AR-11, Exh. 1-A. Accordingly, Go Solo and Legacy were each required to file an annual return with the Department for calendar year 2011, and NSC Communications was required to file annual returns for calendar years 2010 and 2011, but each carrier failed to do so for the relevant calendar year(s). *See* G.L. c. 159, § 32; G.L. c. 166, § 11.

Applying the Department’s definition of “doing business,” the Department finds that these three companies were “doing business” during the relevant calendar year(s) for purposes of G.L. c. 166, §§ 11 and 12, and continue to do business in the Commonwealth. First, each company retained its registration with the SOC and made filings with the SOC subsequent to 2011. *See* D.T.C. 13-AR-2, Exhs. 6, 6-A, and 6-B; D.T.C. 13-AR-3, Exhs. 6, 6-A, and 6-B; D.T.C. 13-AR-11, Exhs. 6, 6-A, and 6-B. Second, Go Solo and Legacy have each filed at least one annual return with the Department for a calendar year subsequent to the delinquent return (*See* D.T.C. 13-AR-2, Exh. 5-A; D.T.C. 13-AR-3, Exh. 5-A), while the record reflects that NSC Communications has a history of non-compliance and late filings. *See* D.T.C. 13-AR-11, Exhs. 4-A, 5-C, 6, and 6-A. For instance, the SOC revoked NSC Communications’ registration in 2008 for failing to file an annual return with the SOC for approximately seven years. *See* D.T.C. 13-AR-11, Exhs. 6 and 6-A. NSC Communications then re-registered with the SOC as a new entity in 2009.¹⁶ Third, each carrier reports to the FCC that it provides telecommunications service in Massachusetts, and the FCC’s Form 499 Filer Database reflects each carrier’s registration as “current.” *See* D.T.C. 13-AR-2, Exh. 7; D.T.C. 13-AR-3, Exh. 7; D.T.C. 13-AR-11, Exh. 7. Finally, Legacy communicated with Department staff about its delinquent return as recently as October 2013. *See* D.T.C. 13-AR-3, Exh. 5-B.

¹⁶ NSC Communications originally registered with the Department and the SOC as “NSC Communications Public Services Corporation.” *See* D.T.C. 13-AR-11, Exhs. 1-A, 6, and 6-A. In 2009, the company filed a name change with the Department. *See* D.T.C. 13-AR-11, Exhs. 1-A and 4-A. The company reports to the FCC as “NSC Communications Public Service Corporation” doing business as “NSC Communications.” D.T.C. 13-AR-11, Exh. 7.

As for extending Go Solo's, Legacy's, and NSC Communications' filing deadlines, none of these carriers demonstrated that good cause exists or provided a reason for its failure to file annual returns. Each carrier failed to respond to the Notice and to appear at the public and evidentiary hearings. Accordingly, the Department finds that no good cause exists to extend each carrier's filing deadlines. As a result, Go Solo and Legacy are subject to the per diem statutory forfeitures set out in G.L. c. 166, § 12, accrued from April 1, 2012, for their delinquent 2011 returns, and NSC Communications is subject to the per diem statutory forfeitures from April 1, 2011, and April 1, 2012, respectively, for its delinquent 2010 and 2011 returns. These forfeitures continue to accrue.

Pursuant to G.L. c. 166, § 12, the Department must also determine whether each carrier's failure to file was unreasonable. Based on the same determinations as to whether good cause exists to extend the filing deadlines, the Department finds that each carrier's failure to file was unreasonable and that each carrier must forfeit an additional \$500.00 for each delinquent return. As a result, the Department refers these carriers' failure to file and the assessment of statutory forfeitures to the Attorney General for enforcement. *See* G.L. c. 159, § 39.

The Department also finds Go Solo's, Legacy's, and NSC Communications' failure to file their annual returns as reason to cancel their SBOs and intrastate tariff(s) on file with the Department. *See Order Opening Investigation* at 5-6; *D.T.C. 11-AR-A* at 12; *D.T.C. 11-AR-C* at 10; *Common Carrier Regulatory Treatment Order* at 12. Go Solo, Legacy, and NSC Communications each failed: to file annual returns for the relevant year(s); to appear at their designated hearings; and, with the exception of Legacy, to otherwise communicate with the Department. *Supra* at 14-16. The Department thus cancels each carrier's registration and intrastate tariff(s) on file with the Department as of the effective date of this Order. *Id.* The

Department also directs removal of public access line service from the payphones of NSC Communications. *See D.T.E. 02-13-B* at 4 & n.3.

E. INS (D.T.C. 13-AR-9), New England Payphone (D.T.C. 13-AR-10), Pelzer (D.T.C. 13-AR-12), and Tricom (D.T.C. 13-AR-17)

INS, Pelzer, and Tricom are registered carriers and each company has an approved SBO and intrastate tariff(s) on file with the Department. *See D.T.C. 13-AR-9*, Exhs. 1 and 1-B; *D.T.C. 13-AR-12*, Exh. 1 and 1-B; *D.T.C. 13-AR-17*, Exhs. 1 and 1-B. New England Payphone is a payphone provider registered with the Department. *See D.T.C. 13-AR-10*, Exh. 1-A. Therefore, each carrier was required to file annual returns with the Department for calendar years 2010 and 2011 but failed to do so. *See G.L. c. 159, § 32; G.L. c. 166, § 11.*

Applying the Department's definition of "doing business," the Department finds that these four companies were "doing business" in 2010 and/or 2011 for purposes of G.L. c. 166, §§ 11 and 12, but have since ceased operations. Pelzer and Tricom went out of business in 2011 and 2010, respectively. *See D.T.C. 13-AR-12*, Exhs. 4-A and 7; *D.T.C. 13-AR-17*, Exhs. 6, 6-A, 6-C, 7, 8, 8-A, and 8-B. New England Payphone sold its assets to another registered entity and ceased operating in 2011. *See D.T.C. 13-AR-10*, Exhs. 6, 6-C, and 7; E-mail from Anne Brotman, MBE Coin Phone, to Kerri DeYoung Phillips, Hearing Officer, Dep't (Jan. 13, 2014). Finally, the SOC revoked INS' registration and authority to do business in the Commonwealth as of June 30, 2013. *See D.T.C. 13-AR-9*, Exhs. 6 and 6-A.¹⁷

As for extending the deadline for filing their annual returns, none of these carriers demonstrated that good cause exists or provided a reason for its failure to file annual returns. Each carrier failed to respond to the Notice and did not appear at the public and evidentiary hearings. Accordingly, no good cause exists to extend the filing deadlines for INS, New England

¹⁷ Each company failed to appropriately notify the Department of their changes in circumstance.

Payphone, Pelzer, or Tricom. As a result, INS, New England Payphone, Pelzer, and Tricom are subject to the per diem statutory forfeitures from April 1, 2011, and April 1, 2012, respectively, for their delinquent 2010 and 2011 returns. These forfeitures continue to accrue.

Pursuant to G.L. c. 166, § 12, the Department must also determine whether the failure to file by INS, New England Payphone, Pelzer, and Tricom was unreasonable. Based on the same determinations as to whether good cause exists to extend the filing deadlines, the Department finds that each carrier's failure to file was unreasonable and that each carrier must forfeit an additional \$500.00 for each delinquent return. As a result, the Department refers these four carriers' failure to file and the assessment of statutory forfeitures to the Attorney General for enforcement. *See* G.L. c. 159, § 39.

The Department also finds INS', New England Payphone's, Pelzer's, and Tricom's failure to file their annual returns as reason to cancel their SBOs and intrastate tariff(s) on file with the Department. *See Order Opening Investigation* at 5-6; *D.T.C. 11-AR-A* at 12; *D.T.C. 11-AR-C* at 10; *Common Carrier Regulatory Treatment Order* at 12. INS, New England Payphone, Pelzer, and Tricom each ceased providing telecommunications services or ceased operations and failed: to withdraw their registrations; to file annual returns for the relevant years; to appear at their designated hearings; and to otherwise communicate with the Department. The Department thus cancels their registrations and intrastate tariff(s) on file with the Department as of the effective date of this Order. The Department also directs removal of public access line service from the payphones of New England Payphone. *See D.T.E. 02-13-B* at 4 & n.3.

IV. ORDER

After notice, hearing, opportunity for comment, and due consideration, it is

ORDERED that the investigations relative to MMG, D.T.C. 13-AR-4; and Telmex, D.T.C. 13-AR-15, are dismissed as of the effective date of this Order; and it is

FURTHER ORDERED that EasyLink and Touch 1 shall each immediately file an annual return for calendar years 2010 and 2011; and it is

FURTHER ORDERED that Go Solo and Legacy shall each immediately file an annual return for calendar year 2011 and pay to the Commonwealth of Massachusetts the applicable statutory forfeitures consistent with this Order; and it is

FURTHER ORDERED that INS, New England Payphone, NSC Communications, Pelzer, and Tricom shall immediately file an annual return for calendar years 2010 and 2011 and pay to the Commonwealth of Massachusetts the applicable statutory forfeitures consistent with this Order; and it is

FURTHER ORDERED that the SBOs and all intrastate tariffs on file with the Department for EasyLink, Go Solo, INS, Legacy, New England Payphone, NSC Communications, Pelzer, Touch 1, and Tricom be canceled as of the effective date of this Order; and it is

FURTHER ORDERED that the payphone lines for New England Payphone and NSC Communications be removed; and it is

FURTHER ORDERED that the findings of fact and directives herein involving the delinquent annual returns of EasyLink, D.T.C. 13-AR-6; Go Solo, D.T.C. 13-AR-2; INS, D.T.C. 13-AR-9; Legacy, D.T.C. 13-AR-3; New England Payphone, D.T.C. 13-AR-10; NSC Communications, D.T.C. 11-AR-11; Pelzer, D.T.C. 13-AR-12; Touch 1, D.T.C. 13-AR-16; and

Tricom, D.T.C. 13-AR-17, shall be presented to the Attorney General of the Commonwealth of Massachusetts for action pursuant to G.L. c. 159, § 39.

By Order of the Department,



Karen Charles Peterson,
Commissioner

RIGHT OF APPEAL

Pursuant to G.L. c. 25, § 5, and G.L. c. 166A, § 2, an appeal as to matters of law from any final decision, order or ruling of the Department may be taken to the Supreme Judicial Court for the County of Suffolk by an aggrieved party in interest by the filing of a written petition asking that the Order of the Department be modified or set aside in whole or in part. Such petition for appeal shall be filed with the Secretary of the Department within twenty (20) days after the date of service of the decision, order or ruling of the Department, or within such further time as the Department may allow upon request filed prior to the expiration of the twenty (20) days after the date of service of said decision, order or ruling. Within ten (10) days after such petition has been filed, the appealing party shall enter the appeal in the Supreme Judicial Court for the County of Suffolk by filing a copy thereof with the Clerk of said Court.

APPENDIX A

Docket Summary and Department Findings As of March 31, 2015

<u>Docket #</u>	<u>Carrier</u>	<u>For Calendar Year(s)</u>	<u>SBO and Tariff Cancellation</u>	<u>Forfeitures as of March 31, 2015</u>	<u>Annual Return(s) Still Due to the Department</u>	<u>Referral to Attorney General</u>
DTC 13-AR-2	Go Solo	2011	Yes	\$16,700.00	Yes	Yes
DTC 13-AR-3	Legacy Long Distance International, Inc.	2011	Yes	\$16,700.00	Yes	Yes
DTC 13-AR-4	MMG Holdings, Inc.	2011	No	n/a	No	No; Dismissed
DTC 13-AR-6	EasyLink Services, Corp. fka Mail.com Business Messaging Services, Inc. aka EasyLink Services USA, Inc.	2010, 2011	Yes	n/a	Yes	Yes
DTC 13-AR-9	International Network Solutions, LLC	2010, 2011	Yes	\$38,890.00	Yes	Yes
DTC 13-AR-10	New England Payphone, Inc.	2010, 2011	Yes	\$38,890.00	Yes	Yes
DTC 13-AR-11	NSC Service Corporation aka NSC Communications Public Services Corporation dba NSC Communications	2010, 2011	Yes	\$38,890.00	Yes	Yes
DTC 13-AR-12	Pelzer Communications Corp.	2010, 2011	Yes	\$38,890.00	Yes	Yes
DTC 13-AR-15	Telmex USA, LLC	2010, 2011	No	n/a	No	No; Dismissed
DTC 13-AR-16	Touch 1 Communications, Inc. dba Alabama Touch 1 Communications, Inc.	2010, 2011	Yes	n/a	Yes	Yes
DTC 13-AR-17	Tricom USA, Inc.	2010, 2011	Yes	\$38,890.00	Yes	Yes

Accrued Statutory Forfeitures
As of March 31, 2015

Docket #	Carrier	Delinquent Annual Returns	\$500.00/ offense	<i>per diem</i> 2011	<i>per diem</i> 2012	<i>per diem</i> 2013	<i>per diem</i> 2014	<i>per diem to</i> March 31, 2015*	Total
D.T.C. 13-AR-2	Go Solo	2011	\$500.00	n/a	\$3,900.00	\$5,475.00	\$5,475.00	\$1,350.00	\$16,700.00
D.T.C. 13-AR-3	Legacy	2011	\$500.00	n/a	\$3,900.00	\$5,475.00	\$5,475.00	\$1,350.00	\$16,700.00
D.T.C. 13-AR-9	INS	2010, 2011	\$1,000.00	\$3,900.00	\$9,390.00	\$10,950.00	\$10,950.00	\$2,700.00	\$38,890.00
D.T.C. 13-AR-10	New England Payphone	2010, 2011	\$1,000.00	\$3,900.00	\$9,390.00	\$10,950.00	\$10,950.00	\$2,700.00	\$38,890.00
D.T.C. 13-AR-11	NSC	2010, 2011	\$1,000.00	\$3,900.00	\$9,390.00	\$10,950.00	\$10,950.00	\$2,700.00	\$38,890.00
D.T.C. 13-AR-12	Pelzer	2010, 2011	\$1,000.00	\$3,900.00	\$9,390.00	\$10,950.00	\$10,950.00	\$2,700.00	\$38,890.00
D.T.C. 13-AR-17	Tricom	2010, 2011	\$1,000.00	\$3,900.00	\$9,390.00	\$10,950.00	\$10,950.00	\$2,700.00	\$38,890.00
	Total for all Seven Carriers:		\$6,000.00	\$19,500.00	\$54,750.00	\$65,700.00	\$65,700.00	\$16,200.00	\$227,850.00

Note: Annual Returns for CY 2010 due on March 31, 2011
Annual Returns for CY 2011 due on March 31, 2012

Fines: \$500.00 per offense
\$5.00 per day for the first fifteen days of delinquency
\$10.00 per day for the next fifteen days
\$15.00 per day for each day thereafter until the return is filed

**Per diem* forfeitures continue to accrue

APPENDIX B

<u>Evidentiary Records</u>	
D.T.C. 13-AR-2	
Go Solo Technologies, Inc.	
<u>Exhibit #</u>	<u>Exhibit Description</u>
<u>Registration and Tariffs</u>	
1	Statement of Business Operation/Registration (Common Carrier) ("SBO")
1-A	No Record (of a Payphone Registration)
1-B	Tariff Cover Page
<u>2010, 2011 Annual Return ("AR") Correspondence to Companies</u>	
2	Reminder Notice for Calendar Year ("CY") 2011
2-A	No Record (of Proof of Returned Mail for CY 2011 Reminder Notice)
2-B	Delinquency Notice for CY 2011
2-B-1	No Record (of Proof of Returned Mail for CY 2011 Delinquency Notice)
<u>Proof of Service</u>	
3	Notice of Investigation – 2 Proofs of Returned Mail
<u>Miscellaneous ("Misc.") Department ("Dept.") Communications and/or File Documents</u>	
4	No Record (of Dept. file room records 2009-present, involving letters or documents notifying Dept. of sale, merger, discontinuance, bankruptcy, withdrawal, etc.)
4-A	No Record (of e-mail records 2009-present, involving registration issues, tariff issues, amendment requests, etc.)
<u>AR Documentation on File</u>	
5	No Record (Company not delinquent for CY 2010)
5-A	2010 AR on file with Dept. 2012 AR on file with Dept.
5-B	No Record (of communications involving CY 2010 and 2011 annual returns before <i>Order Opening Investigation</i> issued)
5-C	No Record (of documentation involving AR delinquencies for CYs 2005-2009)
<u>Secretary of Commonwealth ("SOC") Data</u>	
6	SOC Business Entity Summary
6-A	SOC Business Entity Filing Summary, i.e., filing type and year filed summary (last filing Mar. 15, 2013, as of Jan. 6, 2014)
6-B	SOC Annual Report for CY 2012 (filed Mar. 15, 2013)
6-C	No Record (of other recent SOC filings, i.e., carrier withdrawal, reinstatement, and/or amendment documents)
<u>FCC Form 499 Filer Database Data</u>	
7	Database information summary printout for Company; indicating Company "[c]urrent as of" April 1, 2013, and that info "reflects filings received by USAC as of" Dec. 5, 2013
<u>Additional FCC Documentation, if applicable</u>	
8	FCC Order, No. DA 10-1925 (rel. Nov. 1, 2010)
8-A	FCC Consent Decree, No. DA 10-1925
8-B	Annual Customer Proprietary Network Information ("CPNI") filing (dated Feb. 6, 2013)

D.T.C. 13-AR-3 Legacy Long Distance International, Inc.	
<u>Exhibit #</u>	<u>Exhibit Description</u>
	<u>Registration and Tariffs</u>
1	SBO
1-A	No Record (of a Payphone Registration)
1-B	Tariff Cover Page
	<u>2010, 2011 AR Correspondence to Companies</u>
2	Reminder Notice for CY 2011
2-A	No Record (of Proof of Returned Mail for CY 2011 Reminder Notice)
2-B	Delinquency Notice for CY 2011
2-B-1	No Record (of Proof of Returned Mail for CY 2011 Delinquency Notice)
	<u>Proof of Service</u>
3	Notice of Investigation – Proof of Service (Certified Mail Receipt)
	<u>Misc. Dept. Communications and/or File Documents</u>
4	No Record (of Dept. file room records 2009-present, involving letters or documents notifying Dept. of sale, merger, discontinuance, bankruptcy, withdrawal, etc.)
4-A	No Record (of e-mail records 2009-present, involving registration issues, tariff issues, amendment requests, etc.)
	<u>AR Documentation on File</u>
5	No Record (Company not delinquent for CY 2010)
5-A	2010 AR on file with Dept. 2012 AR on file with Dept.
5-B	Dept. communications with Company representative involving the Company’s delinquent CY 2011 AR (dated from Oct. 2013 to November 2013).
5-C	No Record (of documentation involving AR delinquencies for CYs 2005-2009)
	<u>SOC Data</u>
6	SOC Business Entity Summary
6-A	SOC Business Entity Filing Summary, i.e., filing type and year filed summary (last filing Feb. 4, 2013, as of Jan. 6, 2014)
6-B	SOC Annual Report for CY 2012 (filed Feb. 4, 2013)
6-C	No Record (of other recent SOC filings, i.e., carrier withdrawal, reinstatement, and/or amendment documents)
	<u>FCC Form 499 Filer Database Data</u>
7	Database information summary printout for Company; indicating Company “[c]urrent as of” April 1, 2013, and that info “reflects filings received by USAC as of” Dec. 5, 2013
	<u>Additional FCC Documentation, if applicable</u>
8	FCC Notice of Apparent Liability (“NAL”) for Forfeiture, No. DA 09-302 (rel. Feb. 25, 2009)
8-A	FCC Order, No. DA 10-1911 (rel. Oct. 5, 2010)
D.T.C. 13-AR-4 MMG Holdings, Inc.	
<u>Exhibit #</u>	<u>Exhibit Description</u>
	<u>Registration and Tariffs</u>
1	SBO

1-A	No Record (of a Payphone Registration)
1-B	Two (2) Tariff Cover Pages
	<u>2010, 2011 AR Correspondence to Companies</u>
2	Reminder Notice for CY 2011
2-A	No Record (of Proof of Returned Mail for CY 2011 Reminder Notice)
2-B	Delinquency Notice for CY 2011
2-B-1	No Record (of Proof of Returned Mail for CY 2011 Delinquency Notice)
	<u>Proof of Service</u>
3	Notice of Investigation – Proof of Service (Certified Mail Receipt)
	<u>Misc. Dept. Communications and/or File Documents</u>
4	No Record (of Dept. file room records 2009-present, involving letters or documents notifying Dept. of sale, merger, discontinuance, bankruptcy, withdrawal, etc.)
4-A	No Record (of e-mail records 2009-present, involving registration issues, tariff issues, amendment requests, etc.)
	<u>AR Documentation on File</u>
5	No Record (Company not delinquent for CY 2010)
5-A	2010 AR on file with Dept. 2012 AR on file with Dept.
5-B	Dept. communications with Company representative, dated June 2011 to July 2011, involving the Company's late-filed ARs for CYs 2009 and 2010.
5-C	Dept. records indicating late-filed ARs for CYs 2007 and 2009
	<u>SOC Data</u>
6	SOC Business Entity Summary
6-A	SOC Business Entity Filing Summary, i.e., filing type and year filed summary (last filing Mar. 15, 2012, as of Jan. 6, 2014)
6-B	SOC Annual Report for CY 2011 (filed Mar. 15, 2013)
6-C	No Record (of other recent SOC filings, i.e., carrier withdrawal, reinstatement, and/or amendment documents)
	<u>FCC Form 499 Filer Database Data</u>
7	Database information summary printout for Company; indicating Company "[c]urrent as of" April 1, 2013, and that info "reflects filings received by USAC as of" Dec. 5, 2013
	<u>Additional FCC Documentation, if applicable</u>
8	Annual CPNI filing (filed Feb. 1, 2010)
<p align="center">D.T.C. 13-AR-6 EasyLink Services, Corp. fka Mail.com Business Messaging Services, Inc. aka EasyLink Services USA, Inc.</p>	
<u>Exhibit #</u>	<u>Exhibit Description</u>
	<u>Registration and Tariffs</u>
1	SBO
1-A	No Record (of a Payphone Registration)
1-B	Tariff Cover Page
	<u>2010, 2011 AR Correspondence to Companies</u>
2	Reminder Notices for CYs 2010 and 2011
2-A	No Record (of Proof of Returned Mail for CY 2010 and 2011 Reminder Notices)
2-B	Delinquency Notice for CYs 2010 and 2011

2-B-1	No Record (of Proof of Returned Mail for CY 2010 and 2011 Delinquency Notice)
	<u>Proof of Service</u>
3	Notice of Investigation – Proof of Service (Certified Mail Receipt)
	<u>Misc. Dept. Communications and/or File Documents</u>
4	No Record (of Dept. file room records 2009-present, involving letters or documents notifying Dept. of sale, merger, discontinuance, bankruptcy, withdrawal, etc.)
4-A	No Record (of e-mail records 2009-present, involving registration issues, tariff issues, amendment requests, etc.)
	<u>AR Documentation on File</u>
5	2009 AR on file with Dept. (filed Apr. 9, 2010)
5-A	No Record (of AR for CY 2012)
5-B	No Record (of communications involving CY 2010 and 2011 annual returns before <i>Order Opening Investigation</i> issued)
5-C	Dept. records, dated June-July 2009, indicating late-filed ARs for CYs 2006 and 2007
	<u>SOC Data</u>
6	SOC Business Entity Results listing: EasyLink Services International Corp., 6025 The Corners Pkwy., Norcross, GA 30092 EasyLink Services International, Inc., 399 Thornall St., Edison, NJ 08837 EasyLink Services USA, Inc., 6025 The Corners Pkwy., Suite 100, Norcross, GA 30092 SOC Business Entity Summary (for EasyLink Services USA, Inc. fka Mail.com Business Messaging Services, Inc., fka Netmoves Corp. fka Faxesav Incorporated fka Digitran Corp.)
6-A	SOC Business Entity Filing Summary, i.e., filing type and year filed summary (last filing Aug. 30, 2012, as of Jan. 6, 2014)
6-B	SOC Annual Report for CY 2012 (filed Aug. 30, 2012)
6-C	No Record (of other recent SOC filings, i.e., carrier withdrawal, reinstatement, and/or amendment documents)
	<u>FCC Form 499 Filer Database Data</u>
7	Database information summary printout for EasyLink Services; indicating Company “[c]urrent as of” April 1, 2005, and that info “reflects filings received by USAC as of” Dec. 5, 2013; specifying that Company is no longer active as of June 30, 2002, and “company still exists, however it is no longer providing telecommunications services”; all contact addresses listed at 33 Knightsbridge Rd., Piscataway, NJ 08854
	<u>Additional FCC Documentation, if applicable</u>
8	EasyLink Services International Corp. Request for Review of Decision of Universal Service Administrator, WC Docket No. 06-122 (filed Oct. 21, 2013), with several attachments indicating USAC bills mailed to EasyLink Services, 6025 The Corners Parkway, Suite 100, Norcross, GA 30092
8-A	FCC Public Notice, No. DA 13-2121 (rel. Nov. 1, 2013)
D.T.C. 13-AR-9 International Network Solutions, LLC	
<u>Exhibit #</u>	<u>Exhibit Description</u>
	<u>Registration and Tariffs</u>
1	SBO
1-A	No Record (of a Payphone Registration)
1-B	Two (2) Tariff Cover Pages
	<u>2010, 2011 AR Correspondence to Companies</u>
2	Reminder Notices for CYs 2010 and 2011

2-A	No Record (of Proof of Returned Mail for CY 2010 and 2011 Reminder Notices)
2-B	Delinquency Notice for CYs 2010 and 2011
2-B-1	No Record (of Proof of Returned Mail for CY 2010 and 2011 Delinquency Notice)
	<u>Proof of Service</u>
3	Notice of Investigation – Proof of Service (Dept. never received Certified Mail Receipt or Proof of Returned Mail)
	<u>Misc. Dept. Communications and/or File Documents</u>
4	No Record (of Dept. file room records 2009-present, involving letters or documents notifying Dept. of sale, merger, discontinuance, bankruptcy, withdrawal, etc.)
4-A	No Record (of e-mail records 2009-present, involving registration issues, tariff issues, amendment requests, etc.)
	<u>AR Documentation on File</u>
5	2009 AR on file with Dept. (filed Mar. 31, 2010)
5-A	No Record (of AR for CY 2012)
5-B	No Record (of communications involving CY 2010 and 2011 annual returns before <i>Order Opening Investigation</i> issued)
5-C	Dept. records indicating late-filed AR for CY 2008
	<u>SOC Data</u>
6	SOC Business Entity Summary indicating Jun. 30, 2013, as the date of “Involuntary Dissolution by Court Order or by the SOC”
6-A	SOC Business Entity Filing Summary, i.e., filing type and year filed summary (last filing, “Certificate of Amendment”, on Nov. 1, 2010, as of Jan. 6, 2014); indicates “Revocation by SOC” on Jun. 30, 2013
6-B	SOC Annual Report for CY 2010 (filed Feb. 10, 2010)
6-C	Amended Foreign Corporation Certificate filed with SOC (dated Nov. 1, 2010)
	<u>FCC Form 499 Filer Database Data</u>
7	Database information summary printout for Company; indicating Company “[c]urrent as of” April 1, 2010, and that info “reflects filings received by USAC as of” Dec. 5, 2013
	<u>Additional FCC Documentation, if applicable</u>
8	Annual CPNI filing (dated Jan. 28, 2011)
D.T.C. 13-AR-10 New England Payphone, Inc.	
<u>Exhibit #</u>	<u>Exhibit Description</u>
	<u>Registration and Tariffs</u>
1	No Record (of an SBO)
1-A	Copy of Dept. database printout (indicating Payphone Registration)
1-B	No Record (of a Tariff)
	<u>2010, 2011 AR Correspondence to Companies</u>
2	Reminder Notices for CYs 2010 and 2011
2-A	No Record (of Proof of Returned Mail for CY 2010 and 2011 Reminder Notices)
2-B	Delinquency Notice for CYs 2010 and 2011
2-B-1	Proof of Returned Mail for CY 2010 and 2011 Delinquency Notice
	<u>Proof of Service</u>
3	Notice of Investigation – Proof of Returned Mail
	<u>Misc. Dept. Communications and/or File Documents</u>
4	Dept. file room record – Company filing with Dept. providing payphone instruction card (dated Dec. 18, 2002)

4-A	No Record (of e-mail records 2009-present, involving registration issues, tariff issues, amendment requests, etc.)
	<u>AR Documentation on File</u>
5	2009 AR on file with Dept. (filed Sept. 10, 2010)
5-A	No Record (of AR for CY 2012)
5-B	No Record (of communications involving CY 2010 and 2011 annual returns before <i>Order Opening Investigation</i> issued)
5-C	Dept. records indicating late-filed AR for CY 2009
	<u>SOC Data</u>
6	SOC Business Entity Summary indicating Feb. 19, 2013, as the date of "Voluntary Dissolution"
6-A	SOC Business Entity Filing Summary, i.e., filing type and year filed summary (last filing, "Articles of Voluntary Dissolution", on Feb. 19, 2013, as of Jan. 6, 2014)
6-B	SOC Annual Report for CY 2012
6-C	Articles of Voluntary Dissolution filed with SOC
	<u>FCC Form 499 Filer Database Data</u>
7	Database information summary printout for Company; provides "Historical Data" that indicates Company "[c]urrent as of" April 1, 2012, and that info "reflects filings received by USAC as of" Dec. 5, 2013; specifies that Company is no longer active "as of" August 3, 2011, that "[a]ll assets of this [C]ompany have been sold to another party", and "[r]eplaced by filer" 811587 Database information summary printout for filer 811587, MBE Coin Phone Systems, LLC
	<u>Additional FCC Documentation, if applicable</u>
8	No Record (of miscellaneous FCC actions or filings, i.e., enforcement actions, consent decrees, discontinuance notices, etc.)
D.T.C. 13-AR-11 NSC Service Corporation ("NSC Svc. Corp.") aka NSC Communications Public Services Corporation ("NSC Comm. PSC") dba NSC Communications	
<u>Exhibit #</u>	<u>Exhibit Description</u>
	<u>Registration and Tariffs</u>
1	No Record (of an SBO)
1-A	Copy of Dept. database printout (indicating Payphone Registration)
1-B	No Record (of a Tariff)
	<u>2010, 2011 AR Correspondence to Companies</u>
2	Reminder Notices for CYs 2010 and 2011
2-A	Proof of Returned Mail for CY 2011 Reminder Notice
2-B	Delinquency Notice for CYs 2010 and 2011
2-B-1	Proof of Returned Mail for CY 2010 and 2011 Delinquency Notice
	<u>Proof of Service</u>
3	Notice of Investigation – Proof of Returned Mail
	<u>Misc. Dept. Communications and/or File Documents</u>
4	No Record (of Dept. file room records 2009-present, involving letters or documents notifying Dept. of sale, merger, discontinuance, bankruptcy, withdrawal, etc.)
4-A	Dept. e-mail records with company agent dated from Sept. 2009 to Oct. 2009 and from Mar. 2010 to Apr. 2010 – topics involving late-filed CY 2007, 2008, and 2009 ARs; company name changes; corporate officer changes.

	<u>AR Documentation on File</u>
5	2009 AR on file with Dept. (filed Apr. 12, 2010)
5-A	No Record (of AR for CY 2012)
5-B	No Record (of communications involving CY 2010 and 2011 annual returns before <i>Order Opening Investigation</i> issued)
5-C	Dept. records indicating late-filed AR for CY 2007
	<u>SOC Data</u>
6	SOC Business Entity Summary for NSC Communications Public Services Corp., indicating March 31, 2008, as the date of "Involuntary Revocation" Principal Office Address: 1013 Centre. Rd., Wilmington, DE 19805 Officer(s) Address: 6920 Koll Center Pkwy., #211, Pleasanton, CA 94566 SOC Business Entity Summary for NSC Service Corp., indicating April 23, 2009, as the date of registration Principal Office Address: 1236 Quarry Lane, Suite 101, Pleasanton, CA 94566 Officer(s) Address: 1236 Quarry Lane, Pleasanton, CA 94566
6-A	SOC Business Entity Filing Summary for NSC Communications Public Services Corp., i.e., filing type and year filed summary (indicating, as of Jan. 6, 2014, "Revocation by SOC" on Mar. 31, 2008) SOC Business Entity Filing Summary for NSC Service Corp., i.e., filing type and year filed summary (last filing on Sept. 20, 2011, as of Jan. 6, 2014)
6-B	SOC Annual Report for CY 2010 (NSC Service Corp.)
6-C	No Record (of other recent SOC filings, i.e., carrier withdrawal, reinstatement, and/or amendment documents)
	<u>FCC Form 499 Filer Database Data</u>
7	Database information summary printout for NSC Communications Public Service Corporation dba NSC Communications, indicating Company "[c]urrent as of" April 2, 2012, and that info "reflects filings received by USAC as of" Dec. 5, 2013. Company and officer(s) addresses listed as P.O. Box 336, Pleasanton, CA 94566 Database information indicating no matches found for "NSC Service Corporation" Database information indicating no matches found for "NSC Communications Public Services Corp"
	<u>Additional FCC Documentation, if applicable</u>
8	Annual CPNI filing (dated Feb. 16, 2012)
D.T.C. 13-AR-12	
Pelzer Communications Corp.	
<u>Exhibit #</u>	<u>Exhibit Description</u>
	<u>Registration and Tariffs</u>
1	SBO
1-A	No Record (of a Payphone Registration)
1-B	Two (2) Tariff Cover Pages
	<u>2010, 2011 AR Correspondence to Companies</u>
2	Reminder Notices for CYs 2010 and 2011
2-A	No Record (of Proof of Returned Mail for CY 2010 and 2011 Reminder Notices)
2-B	Delinquency Notice for CYs 2010 and 2011
2-B-1	Proof of Returned Mail for CY 2010 and 2011 Delinquency Notice – Stamped "RETURN TO SENDER NOT OUR CLIENT"

	<u>Proof of Service</u>
3	Notice of Investigation – One (1) Proof of Service (Certified Mail Receipt) and one (1) Proof of Returned Mail labeled “refused”
	<u>Misc. Dept. Communications and/or File Documents</u>
4	No Record (of Dept. file room records 2009-present, involving letters or documents notifying Dept. of sale, merger, discontinuance, bankruptcy, withdrawal, etc.)
4-A	Dept. e-mail records with company representatives dated from Aug. 2010 to Nov. 2010 – topics involving company intent to discontinue some services; repeated Dept. requests for additional information and filings involving company discontinuance; and indications that company will cease operations entirely.
	<u>AR Documentation on File</u>
5	2009 AR on file with Dept. (filed Apr. 12, 2010)
5-A	No Record (of AR for CY 2012)
5-B	No Record (of communications involving CY 2010 and 2011 annual returns before <i>Order Opening Investigation</i> issued)
5-C	No Record (of documentation involving AR delinquencies for CYs 2005-2009)
	<u>SOC Data</u>
6	SOC Business Entity Summary
6-A	SOC Business Entity Filing Summary, i.e., filing type and year filed summary (last filing Mar. 15, 2010, as of Jan. 6, 2014)
6-B	SOC Annual Report for CY 2009
6-C	No Record (of other recent SOC filings, i.e., carrier withdrawal, reinstatement, and/or amendment documents)
	<u>FCC Form 499 Filer Database Data</u>
7	Database information summary printout for Company; provides “Historical Data” that indicates Company “[c]urrent as of” April 1, 2011, and that info “reflects filings received by USAC as of” Dec. 5, 2013; specifies that Company is no longer active “as of” May 20, 2011, that the Company “has gone out of business in it[]s entirety (no sale of assets involved)”
	<u>Additional FCC Documentation, if applicable</u>
8	<p>Discontinuance documents:</p> <p>Letter from Pelzer Counsel to FCC, Re: Section 63.71 Application of Pelzer Communications for Authority Pursuant to Section 214 of the Communications Act to Discontinue Telecommunications Services (dated Sept. 27, 2010)</p> <p>FCC Public Notice, No. DA 10-1644 (rel. Aug. 27, 2010)</p> <p>Letter from Pelzer Counsel to FCC, Re: Section 63.71 Application of Pelzer Communications for Discontinuance of Telecommunications Services (dated Aug. 12, 2010)</p>
D.T.C. 13-AR-15	
Telmex USA, LLC	
<u>Exhibit #</u>	<u>Exhibit Description</u>
	<u>Registration and Tariffs</u>
1	SBO
1-A	No Record (of a Payphone Registration)
1-B	Tariff Cover Page
	<u>2010, 2011 AR Correspondence to Companies</u>
2	Reminder Notices for CYs 2010 and 2011
2-A	No Record (of Proof of Returned Mail for CY 2010 and 2011 Reminder Notices)

2-B	Delinquency Notice for CYs 2010 and 2011
2-B-1	No Record (of Proof of Returned Mail for CY 2010 and 2011 Delinquency Notice)
	<u>Proof of Service</u>
3	Notice of Investigation – Two (2) Proofs of Service (Certified Mail Receipts)
	<u>Misc. Dept. Communications and/or File Documents</u>
4	No Record (of Dept. file room records 2009-present, involving letters or documents notifying Dept. of sale, merger, discontinuance, bankruptcy, withdrawal, etc.)
4-A	No Record (of e-mail records 2009-present, involving registration issues, tariff issues, amendment requests, etc.)
	<u>AR Documentation on File</u>
5	2009 AR on file with Dept. (filed Jun. 4, 2010)
5-A	No Record (of AR for CY 2012)
5-B	No Record (of communications involving CY 2010 and 2011 annual returns before <i>Order Opening Investigation</i> issued)
5-C	No Record (of documentation involving AR delinquencies for CYs 2005-2009)
	<u>SOC Data</u>
6	SOC Business Entity Summary indicating April 30, 2009, as the date of “Involuntary Dissolution by Court Order or by the SOC”, and July 26, 2013, as the “Date of Revival”
6-A	SOC Business Entity Filing Summary, i.e., filing type and year filed summary (last filings on July 26, 2013, as of Jan. 6, 2014, reflecting eight (8) years of SOC ARs filed on the same day)
6-B	SOC Annual Report for CY 2013 (filed July 26, 2013)
6-C	Application for Reinstatement Following Administrative Revocation filed with SOC (filed July 26, 2013)
	<u>FCC Form 499 Filer Database Data</u>
7	Database information summary printout for Company, listing America Movil as the holding company; indicating Company “current as of” April 1, 2013, and that info “reflects filings received by USAC as of” Dec. 5, 2013
	<u>Additional FCC Documentation, if applicable</u>
8	Annual CPNI filing (dated Mar. 1, 2012) Prepaid Calling Card Service Provider PIU Report (dated Jan. 16, 2012)
D.T.C. 13-AR-16 Touch 1 Communications, Inc. dba Alabama Touch 1 Communications, Inc.	
<u>Exhibit #</u>	<u>Exhibit Description</u>
	<u>Registration and Tariffs</u>
1	SBO
1-A	No Record (of a Payphone Registration)
1-B	Tariff Cover Page
	<u>2010, 2011 AR Correspondence to Companies</u>
2	Reminder Notices for CYs 2010 and 2011
2-A	Proof of Returned Mail for both CY 2010 and 2011 Reminder Notices
2-B	Delinquency Notice for CYs 2010 and 2011
2-B-1	Proof of Returned Mail for CY 2010 and 2011 Delinquency Notice
	<u>Proof of Service</u>
3	Notice of Investigation – Proof of Service (Certified Mail Receipt), but delivered to neighbor

	<u>Misc. Dept. Communications and/or File Documents</u>
4	Dept. file room record – Notification filed by Attorneys for Matrix Telecom, Inc. (“Matrix”), notifying Dept. that Matrix was acquiring assets of Trinsic Communications, Inc., and Touch 1 Communications (dated Apr. 23, 2007).
4-A	Dept. e-mail records from Sept. 2010 to Oct. 2010 with Matrix representative – indicating that Touch 1 never filed a withdrawal request with the Dept. to cancel its registration and tariff; and that Matrix purchased the assets of Touch 1 out of bankruptcy on June 8, 2007, and had been reporting those assets as Matrix via the Dept.’s ARs since that date.
	<u>AR Documentation on File</u>
5	No Record (of AR for CY 2009)
5-A	No Record (of AR for CY 2012)
5-B	No Record (of communications involving CY 2010 and 2011 annual returns before <i>Order Opening Investigation</i> issued)
5-C	Dept. records indicating late-filed ARs for CYs 2008 and 2009
	<u>SOC Data</u>
6	SOC Business Entity Summary indicating Jun. 18, 2012, as the date of “Involuntary Revocation”
6-A	SOC Business Entity Filing Summary, i.e., filing type and year filed summary (last filing Mar. 14, 2007, as of Jan. 6, 2014); indicates “Revocation by SOC” on Jun. 18, 2012)
6-B	SOC Annual Report for CY 2006 (filed Mar. 14, 2007)
6-C	No Record (of other recent SOC filings, i.e., carrier withdrawal, reinstatement, and/or amendment documents)
	<u>FCC Form 499 Filer Database Data</u>
7	Database information summary printout for Company; provides “Historical Data” that indicates Company “[c]urrent as of” April 2, 2007, and that info “reflects filings received by USAC as of” Dec. 5, 2013; specifies that Company is no longer active “as of” June 8, 2007, that “[a]ll assets of this [C]ompany have been sold to another party”, and “[r]eplaced by filer” 802572 Database information summary printout for filer 802572, Matrix Telecom, Inc. Database information indicating no matches found for “Alabama Touch 1 Communications”
	<u>Additional FCC Documentation, if applicable</u>
8	FCC Public Notice, No. DA 07-1922 (rel. Apr. 26, 2007)
D.T.C. 13-AR-17 Tricom USA, Inc.	
<u>Exhibit #</u>	<u>Exhibit Description</u>
	<u>Registration and Tariffs</u>
1	SBO
1-A	No Record (of a Payphone Registration)
1-B	Tariff Cover Page
	<u>2010, 2011 AR Correspondence to Companies</u>
2	Reminder Notices for CYs 2010 and 2011
2-A	No Record (of Proof of Returned Mail for CY 2010 and 2011 Reminder Notices)
2-B	Delinquency Notice for CYs 2010 and 2011
2-B-1	No Record (of Proof of Returned Mail for CY 2010 and 2011 Delinquency Notice)
	<u>Proof of Service</u>
3	Notice of Investigation – One (1) Proof of Service (Certified Mail Receipt) and one (1) Proof of Returned Mail

	<u>Misc. Dept. Communications and/or File Documents</u>
4	Dept. file room record – Chapter 11 Bankruptcy Notice filed with Dept. on May 19, 2008 (Bankruptcy Case No. 08-10720 (SMB))
4-A	No Record (of e-mail records 2009-present, involving registration issues, tariff issues, amendment requests, etc.)
	<u>AR Documentation on File</u>
5	2009 AR on file with Dept. (filed Apr. 13, 2010)
5-A	No Record (of AR for CY 2012)
5-B	No Record (of communications involving CY 2010 and 2011 annual returns before <i>Order Opening Investigation</i> issued)
5-C	No Record (of documentation involving AR delinquencies for CYs 2005-2009)
	<u>SOC Data</u>
6	SOC Business Entity Summary indicating May 10, 2010, as the “Date of Withdrawal”
6-A	SOC Business Entity Filing Summary, i.e., filing type and year filed summary (last filing May 10, 2010, as of Jan. 6, 2014); indicates “Certificate of Withdrawal” filed on May 10, 2010)
6-B	SOC Annual Report for CY 2009
6-C	Foreign Certificate of Withdrawal filed with SOC (May 10, 2010)
	<u>FCC Form 499 Filer Database Data</u>
7	Database information summary printout for Company; provides “Historical Data” that indicates Company “[c]urrent as of” April 1, 2011, and that info “reflects filings received by USAC as of” Dec. 5, 2013; specifies that Company is no longer active “as of” Dec. 31, 2010, and that the Company “has gone out of business in it[']s entirety (no sale of assets involved)”
	<u>Additional FCC Documentation, if applicable</u>
8	FCC Public Notice, No. DA 10-115 (rel. Jan. 21, 2010) FCC Public Notice, No. DA 10-294 (rel. Feb. 22, 2010)
8-A	Transfer of Control and Related Requests for Special Temporary Authority to Operate: FCC Public Notice, No. DA 10-1448 (rel. Aug. 5, 2010) Tricom Counsel filing to FCC, Re: Tricom U.S.A., Inc. Request for Special Temporary Authority to Operate Pending Approval of Domestic Application for Transfer of Control (dated July 20, 2011) Tricom Counsel filing to FCC, Re: Tricom U.S.A., Inc. Request for Special Temporary Authority to Operate Pending Approval of Domestic Application for Transfer of Control (dated Sept. 16, 2011) FCC Public Notice, No. DA 11-1589 (rel. Sept. 21, 2011)
8-B	FCC Order and Consent Decree, No. (DA 11-1928) (rel. Dec. 7, 2011)
8-C	Certification for the 3rd Quarter of 2011, WC Docket No. 05-68 (dated Oct. 31, 2011)